GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

UNSTARRED QUESTION NO:533
ANSWERED ON:14.07.2014
PENDENCY OF RAPE CASES
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Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether a large number of cases of crime against women including rape cases are pending in Supreme Court, High Courts and various lower courts in the country;

(b) if so. the details thereof, State-wise and court-wise along with the reasons therefor;

(c) the average / stipulated time period for disposal of these cases along with the steps taken by the Government for expeditious disposal of such cases;

(d) whether the Government has taken any steps to provide legal and other aid to women victims in such cases; and

(e) if so, the details thereof?

Answer

MINISTER OF LAW & JUSTICE AND COMMUNICATIONS & INFORMATION TECHNOLOGY (SHRI RAVI SHANKAR PRASAD)

(a) to (e) : The data on pendency of cases is maintained by Supreme Court and High Courts. As per available information furnished by Supreme Court and High Courts, details of pending rape cases in Supreme Court, High Courts and District & Subordinate Courts are given in Statements at Annex -1 and Annex - lt.

Some of the main reasons for delay in disposal of rape cases include poor quality of investigation, lack of forensic laboratories, large number of vacancies of Judicial Officers / Judges in Subordinate Courts, frequent adjournments and inadequate case management procedures.

In order to expedite the trial of criminal cases, in general, and for certain serious offences relating to crime against women, in particular, Section 309 of the Code of Criminal Procedure, 1973, inter alia, provides that in every enquiry or trial, proceedings shall be held as expeditiously as possible. Further once the examination of witnesses has by the States. As per information available, Arunachal Pradesh, Assam, Bihar, Chhattisgarh, Goa, Gujarat, Haryana, Himachal Pradesh, Jammu & Kashmir, Jharkhand begun, the same shall be continued from day-to-day until all the witnesses in attendance have been examined, unless the court finds the adjournment of the same beyond the following day to be necessary for reasons to be recorded. This Section has further been amended through the Criminal Law (Amendment) Act, 2013 to provide that when the inquiry or trial relates to an offence under Section 376. Section 376 A, Section 376 B, Section 376 C or Section 376 D of the Indian Penal Code, the inquiry or trial shall, as far as possible be completed within a period of two months from the date of filing of the charge-sheet. The Government on its part has been pursuing the matter with the State Governments / High Courts for setting up of Fast Track Courts to inter-alla expedite the trial of cases relating to Crime Against Women.

Section 357 A of Criminal Procedure Code provides for rehabilitation as well as formulation of Victim Compensation Scheme, Karnataka, Manipur, Mizoram, Nagaland, Odisha, Punjab, Rajasthan, Sikkim, Tripura. Uttarakhand and West Bengal have formulated Victim Compensation1 Scheme.